

**RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL
COOPERATION AGREEMENT FOR THE ACQUISITION, PLANNING, AND OPERATION OF
THE SOUTHVIEW PROPERTY BY THE COUNTY OF DURHAM AND THE
CITY OF DURHAM**

WHEREAS, the City owns approximately 134 acres in Durham County shown as Tract 1 and Tract 2 (the Property) on a plat entitled, "Boundary Survey for Trust for Public Land, Metro Title Insurance, The City of Durham, Durham County and Clean Water Management Trust Fund," recorded in Plat Book 193, Page 1, Durham County Registry; and

WHEREAS, the City, Durham County (the County), the Trust for Public Land (TPL), the State of North Carolina acting through the Clean Water Management Trust Fund (CWMTF), and the City of Raleigh acting through the Upper Neuse Clean Water Initiative (UNCWI) worked together for the purpose of acquiring and conserving the Property for both watershed protection and future park purposes. The City purchased the Property from TPL.

WHEREAS, in keeping with the County's interest in protecting the Falls Lake watershed and Durham County's open space, the Board of County Commissioners has supported the County's acquiring 103.477 acres of the Property from the City; and

WHEREAS, the portion of the Property that the County will be acquiring is the more environmentally sensitive portion of the site and is encumbered by a conservation easement held by CWMTF that restricts most development but does allow for low impact recreational use such as trails. The portion of the Property the County will acquire is shown as Tract 1 on the aforementioned plat, and the portion of the Property the City will retain is shown as Tract 2 on the aforementioned plat; and

WHEREAS, the City and the County agree that there is a benefit derived from mutual planning for the future uses of the Property, and therefore desire to enter into this Interlocal Agreement to set forth their respective rights and obligations related to the acquisition and development of the Property and of the surrounding open space areas;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DURHAM, NORTH CAROLINA AS FOLLOWS:

The City Manager is hereby authorized to execute an Interlocal Cooperation Agreement for the Acquisition, Planning, and Operation of the Southview Property by the County of Durham and the City of Durham that will set forth the parties' respective contributions, obligations, and participation in the joint purchase and operation of the Property, as well as to establish a process for creating an overall plan for the future development of the Property.

BY ORDER OF THE CITY COUNCIL OF THE CITY OF DURHAM. THIS THE ____ DAY OF _____, 2015.